

## II. IN THE CLAIMS

Claims 1-34 are pending

Claims 1-34 are cancelled herein.

New Claims 35-44 are presented.

The status of the claims is as follows:

1. – 34. (Cancelled)

35. (New) A noise control device for a glass window in a building, comprising an audio frequency sensor attachable to a surface of said window, an encoder interface adapted to receive signals from said audio frequency sensor, said encoder interface including processing means for detecting in a received signal a predetermined characteristic of noise external to said building, for generating a cancellation signal and for supplying said cancellation signal to an audiofrequency actuator coupled to the glass of the window and adapted to couple said signal into the glass to cause the glass to radiate the acoustic antiphase signal into the building to reduce the perceived intensity of the external noise in the building.

36. (New) A noise control device according to Claim 35, wherein the microphone and the acoustic actuator are combined into a single device.

37. (New) A noise control device according to Claim 36, wherein said single device is a magnetostrictive actuator.

38. (New) A noise control device according to Claim 35, wherein the predetermined characteristic is indicative of the noise of an airplane flying over said building.

39. (New) A noise control device according to Claim 35, wherein the predetermined characteristic is indicative of traffic noise.

40. (New) A noise control device for reducing ambient noise levels adjacent to a surface, comprising a microphone for detecting ambient noise and for outputting an electrical signal corresponding thereto, an acoustic actuator coupled to said surface to couple an acoustic signal into said surface so that said surface emits sound in response thereto, and control means connected between the microphone and the acoustic actuator and programmed:

- (a) to receive the electrical signal from the microphone,
- (b) to detect in the signal speech adjacent to the microphone,
- (c) to filter out the speech elements of the signal,
- (d) to generate an antiphase cancellation signal corresponding to said filtered signal; and
- (e) to send the antiphase cancellation signal to said actuator to cause the surface to radiate antiphase sound which reduces the ambient noise adjacent to the surface.

41. (New) A noise control device according to Claim 40, wherein the actuator is a magnetostrictive actuator.

42. (New) A noise control device according to Claim 40, wherein the surface is a table top.
43. (New) A noise control device according to Claim 40, wherein the surface is a wall panel.
44. (New) A noise control device according to Claim 40, wherein the control means is selectively operable to output a random sound signal such as white noise or pink noise adapted to provide a degree of masking of the ambient noise.